D+F

CRIMINAL CAUSE FOR PLEADING

BEFORE: MAGISTRATE JUDGE AZRACK **DATE:** February 7, 2008

USA v. Kenneth ENG **08-CR -66 (FB) (JMA)**

DEFENDANT'S NAME: Kenneth ENG
XX present ___ not present ___ custody XX bail

DEFENSE COUNSEL: Joel DRANOVE
XX present ___ not present ___ CJA XX RET ___ PDA

AUSA: Carter BURWELL **LAW CLERK:** Daniel BODAH

INTERPRETER: N/A **Language:** N/A

FTR: Tape # 1:30 — [illegible] 2:00 (courtroom 13C)

X CASE CALLED

X DEFENDANT: X SWORN X INFORMED OF RIGHTS

X WAIVER OF INDICTMENT EXECUTED FOR DEFENDANT, accepted

X INFORMATION FILED

___ ~~DEFT. FAILED TO APPEAR, BENCH WARRANT ISSUED~~

X DEFT. WITHDRAWS NOT GUILTY PLEA AND ENTERS GUILTY PLEA TO COUNT(~~S~~) 1 OF THE INFORMATION

___ ~~COURT FINDS FACTUAL BASIS FOR THE PLEA~~

___ ~~SENTENCING TO BE SET BY PROBATION~~

X BAIL: ___ SET X CONT'D FOR DEFT. ___ CONT'D IN CUSTODY

X TRANSCRIPT ORDERED — [illegible]

OTHER: Ct. finds Def. understands his rights & is acting voluntarily. The Ct. reserves decision on whether there is a factual basis for the plea. Government to submit brief on the issue by 2/14/08; Defense to submit response brief by 2/29/08. The court orders that the Def. have no contact with John Doe, and the def. consents, as a condition of his release.